

United States Bankruptcy Court

February 16, 2011

Southern District of New York

One Bowling Green

New York, NY 10004

Honorable Robert E. Gerber, United States Bankruptcy Judge

In re

Motors Liquidation Company, et al.,

f/k/a General Motors Corp., et al.

Chapter 11 Case No.

09-50026 (reg)

In regards to the Notice of Debtors' 171st Omnibus Objection to Claims dated January 26, 2011, I, Gerald S. Kaspzyk, retired General Motors employee object to the claims of the debtors for the following reasons:

Life Insurance

- a. I was an employee of General Motors Corporation for 38 Years (starting on October 1, 1960 retiring on October 1, 1998) (exhibit A).
- b. At the time of retirement my salary was \$ 79,134.36 (exhibit A).
- c. In my General Motors benefit package at the time of retirement I was told I would be provided with a life insurance at age 65. The amount of insurance in affect would be equal to my salary at time of retirement.
- d. Effective August 1, 2009 the amount of Basic Life Insurance provided by General Motors in retirement was reduced to a Maximum of \$ 10,000 (exhibit B).

Health Care Benefit Losses

Based on information recently provided by General Motors Company, the average cost of health care for Medical, Prescription, Dental, Vision and Extended Care Coverage to the company under the salary cap implemented in 2006/2007 was \$ 5500. Beginning at 65, the loss per year, would be \$5500 minus the \$3600 annual Level Benefit (\$300 per month GM added to our pensions starting on January 1, 2009), or \$1900. Based on these figures I have determined that my Health Care Benefit Losses for me and my

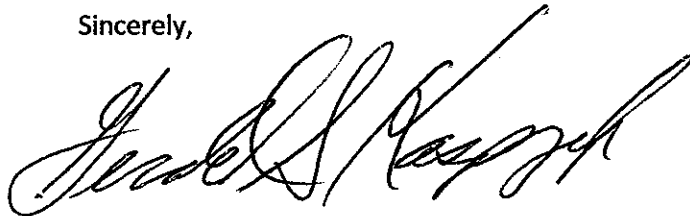
wife, Kathryn A. Kaspzyk would be \$ 67,317.00. This Loss Calculation Total figure is based on the Social Security Administration's period life table which predicts longevity based on gender and age times \$ 1900.00. My date of birth is 3-31-1943 and my wife, Kathryn A. Kaspzyk, date of birth is 7-9-1942. (exhibit C).

Rationale for Requested Claims

United States Bankruptcy Courts have the right to alter all contracts of all participants going through bankruptcy. In that context they have upheld UAW agreements with regard to contracts between parties including Health Care Benefits. The UAW Health Care Benefits were maintained by letting the UAW assume all the Health Care Benefits for their employees and having it funded by GM through cash infusions and acquiring approximately 17% in the New GM stock. Therefore, since some of the parties (UAW) have not had their benefits altered by bankruptcy then salary benefits should not be adversely modified since that would be treating employees differently.

Therefore, I should receive recompense for the losses in Life Insurance and Health Care Benefits I was promised at the time of retirement and the relief requested by the Debtors should be denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald S. Kaspzyk". The signature is fluid and cursive, with the first name "Gerald" being more prominent and the last name "Kaspzyk" following in a similar style.

Gerald S. Kaspzyk
1772 Kilburn
Rochester Hills, MI 48306
248-651-2711

GENERAL MOTORS RETIREMENT PROGRAM FOR SALARIED EMPLOYEES

GERALD S KASPZYK
1712 KILBURN RD N
ROCHESTER

MI 483063034

RETIREMENT NO: R369427389
DIVISION: GENERAL MOTORS CORP.
CISCO: 10001

ANK
NBD BANK
G S KASPZYK
611 WOODWARD AT FORT
DETROIT MI 48232
BANK ACCOUNT NUMBER ACCOUNT TYPE
41023155 CHCK
EFT: P

CREDITED SERVICE
PART A: 38-00
PART B: 38-00

BENEFIT CLASS CODE: D
BASIC BENEFIT RATE: 40.00
TEMPORARY BENEFIT RATE: 37.40

RETIREMENT TYPE: 56
WINDOW RETIREMENT AGE 53 TO 62
RETIREMENT DATE: 10-01-1998

SOCIAL SECURITY NO: [REDACTED]-7389
BIRTH DATE: 03-31-1943
SALARY
AVERAGE MONTHLY : 6,594.53

	AGE	FACTORS	OPTION	EMPLOYEE CONTRIBUTIONS
	%	OPTION SURVIVOR	CODE	
BASIC	84.90	95.00	60.00 SS	PRIOR TO 07-77: 1,809.12
TEMPORARY	84.90	NONE	NONE	07-77 TO 10-79: 878.92
SUPPLEMENTARY	84.90	95.00	60.00 SS	10-79 & LATER: 9,519.17
PRIMARY	84.90	95.00	60.00 SS	

AUTHORIZED DEDUCTIONS
% FEDERAL INCOME TAX

THE FOLLOWING MONTHLY BENEFITS HAVE BEEN AUTHORIZED. ADDITIONAL INFORMATION
REGARDING YOUR RETIREMENT BENEFITS ARE EXPLAINED ON THE ATTACHED FORM SRP 117A.

**** AUTHORIZED BENEFITS ****				
	DATE	AMOUNT	AMOUNT AT AGE 62	AMOUNT AT AGE 65
BASIC	10-01-1998	1,214.48	1,444.00	1,444.00
TEMPORARY	10-01-1998	952.58		
SUPPLEMENTARY	10-01-1998	795.19	795.19	795.19
PRIMARY	10-01-1998	757.04	757.04	757.04
SPECIAL-INS	04-01-2008			43.80
TOTAL		3,719.29	2,996.23	3,040.03

**** SURVIVOR INFORMATION ****

KATHRYN A KASPZYK
SOCIAL SECURITY NO: [REDACTED]-4225 BIRTH DATE: 07-09-1942
**** SURVIVOR BENEFITS AT RETIREE COMMENCEMENT DATE ****

	AMOUNT
BASIC	866.40
SUPPLEMENTARY	477.11
PRIMARY	454.23
TOTAL	1,797.74

I UNDERSTAND THIS BENEFIT AUTHORIZATION REFLECTS MY ELECTION OF THE
SURVIVING SPOUSE OPTION.

I AM THE EMPLOYEE HEREIN NAMED AND IDENTIFIED. I HAVE READ AND UNDERSTAND
THE DATA AND CALCULATIONS SHOWN.

APPROVED BY:

EMPLOYEE SIGNATURE

DATE

SIGNATURE AUTHORIZED DELEGATE

DATE

EXHIBIT A

ISSUE DATE AND TIME: 10-20-1998 12:02:07

DISTRIBUTION: ORIGINAL-MASTER RETIREMENT FILE COPY-EMPLOYEE

EXHIBIT B
Pg 4 of 6

Retired Employee Life Insurance Losses

Annualized Salary at time of retirement	\$ 79,134.36
Current amount of Company provided Life Insurance	- <u>\$ 10,000.00</u>
Value of Lost Life Insurance	\$ 69,134.36

EXHIBIT C
Page 5 of 6**Health Care Benefit Losses****Gerald Stanley Kaspzyk (GM retiree)**

Date of Birth: 3-31-43

Annual post-65 benefit loss beginning 2010 *	\$ 1900.00
Number of years between 65 and full life expectancy	X <u>16.73</u>
Amount of loss after age 65	\$ 31,787.00

Kathryn Anne Kaspzyk (wife of GM retiree)

Date of Birth: 7-9-42

Annual post-65 benefit loss beginning 2010	\$ 1900.00
Number of years between 65 and full life expectancy	X <u>18.7</u>
Amount of loss after age 66	\$ 35,530.00

*Based on information provided by General Motors Company for retiree's 65 and older, the average cost of health care for Medical, Prescription, Dental, Vision and Extended Care Coverage to the company under the salaried cap implemented in 2006/7 was \$ 5500 minus the \$ 3600 annual Level Benefit through life expectancy, or \$ 1900.

EXHIBIT C

SSA Actuarial Table Data

<http://www.ssa.gov/OACT/STATS/table4c6.html>

Exact Age as of Jan 1, 2009	Life Expectancy Male	Total
45	32.81	\$51,539
46	31.93	\$50,407
47	31.06	\$49,294
48	30.2	\$48,200
49	29.34	\$47,106
50	28.49	\$46,031
51	27.65	\$44,975
52	26.83	\$43,957
53	26	\$42,920
54	25.19	\$41,921
55	24.37	\$40,903
56	23.57	\$39,923
57	22.77	\$38,943
58	21.97	\$37,963
59	21.19	\$37,021
60	20.42	\$36,098
61	19.66	\$35,194
62	18.91	\$34,309
63	18.17	\$33,443
64	17.44	\$32,596
65	16.73	\$31,787
66	16.02	\$30,438
67	15.32	\$29,108
68	14.63	\$27,797
69	13.96	\$26,524
70	13.3	\$25,270
71	12.66	\$24,054
72	12.04	\$22,876
73	11.43	\$21,717
74	10.84	\$20,596
75	10.26	\$19,494
76	9.7	\$18,430
77	9.15	\$17,385
78	8.63	\$16,397
79	8.11	\$15,409
80	7.62	\$14,478
81	7.14	\$13,566
82	6.68	\$12,692

Life Expectancy Female	Total
36.79	\$59,101
35.87	\$57,893
34.96	\$56,704
34.05	\$55,515
33.14	\$54,326
32.24	\$53,156
31.35	\$52,005
30.46	\$50,854
29.57	\$49,703
28.69	\$48,571
27.82	\$47,458
26.94	\$46,326
26.08	\$45,232
25.22	\$44,138
24.37	\$43,063
23.53	\$42,007
22.7	\$40,970
21.88	\$39,952
21.08	\$38,972
20.28	\$37,992
19.49	\$37,031
18.7	\$35,530
17.93	\$34,067
17.17	\$32,623
16.42	\$31,198
15.69	\$29,811
14.97	\$28,443
14.27	\$27,113
13.58	\$25,802
12.9	\$24,510
12.24	\$23,256
11.59	\$22,021
10.96	\$20,824
10.34	\$19,646
9.74	\$18,506
9.16	\$17,404
8.59	\$16,321
8.04	\$15,276